



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 3185 (Cy.301) (C.107)

2002 No. 3185 (W.301) (C.107)

ADDYSG, CYMRU

EDUCATION, WALES

**Gorchymyn Deddf Addysg 2002
(Cychwyn Rhif 1) (Cymru)
2002**

**The Education Act 2002
(Commencement No. 1) (Wales)
Order 2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dwyn i rym yng Nghymru ar 19 Rhagfyr 2002 y darpariaethau hynny yn Neddf Addysg 2002 a bennir yn Rhan I o'r Atodlen i'r Gorchymyn hwn. Mae hefyd yn dwyn i rym ar 31 Mawrth 2003 y darpariaethau hynny a bennir yn Rhan II o'r Atodlen, ac ar 1 Medi 2003 y darpariaethau hynny a bennir yn Rhan III o'r Atodlen. Mae'r Gorchymyn hefyd yn gwneud darpariaethau trosiannol mewn perthynas â threfniadau derbyn.

This Order brings into force in Wales on 19 December 2002 those provisions of the Education Act 2002 specified in Part I of the Schedule to this Order. It also brings into force on 31st March 2003 those provisions specified in Part II of the Schedule, and on 1st September 2003 those provisions specified in Part III of the Schedule. The Order also makes transitional provisions in relation to admission arrangements.

Dyma fydd effaith y darpariaethau a bennir yn Rhan I o'r Atodlen -

The effect of the provisions specified in Part I of the Schedule is as follows -

Mae adran 49 yn diddymu adran 91 o Ddeddf Safonau a Fframwaith Ysgolion 1998 sy'n caniatáu i ysgol sefydledig neu ysgol wirfoddol a gynorthwyr sydd â chymeriad crefyddol iddi wneud trefniadau arbennig yn ei threfniadau derbyn er mwyn cadw'i chymeriad crefyddol.

Section 49 repeals section 91 of the School Standards and Framework Act 1998 which allows a foundation or voluntary aided school which has a religious character to make special arrangements in its admission arrangements to preserve its religious character.

Mae adrannau 54 i 56 ac Atodlen 5 yn gwneud darpariaeth mewn perthynas ag ysgolion sy'n peri pryder. Mae adran 54 yn mewnosod adran 16A newydd o Ddeddf Arolygiadau Ysgolion 1996 sy'n ei gwneud yn ofynnol i Brif Arolygydd Addysg a Hyfforddiant yng Nghymru i hysbysu Cynulliad Cenedlaethol Cymru ("y Cynulliad Cenedlaethol") os yw arolygydd o'r farn fod gan ysgol wendidau difrifol neu fod angen mesurau arbennig arni. Mae adran 55 yn diwygio adran 15 o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("Deddf 1998") sy'n nodi'r achosion pan gaiff AALl ddefnyddio'u pwerau ymyrryd. Mae'r diwygiadau'n darparu bod adran 15 o Ddeddf 1998 yn

Sections 54 to 56 and Schedule 5 make provision in relation to schools causing concern. Section 54 inserts a new section 16A of the School Inspections Act 1996 which requires the Chief Inspector of Education and Training in Wales to notify the National Assembly for Wales ("the National Assembly") where an inspector is of the opinion that a school has serious weaknesses or requires special measures. Section 55 amends section 15 of the School Standards and Framework Act 1998 ("the 1998 Act") which sets out the cases where an LEA may use their powers of intervention. The amendments provide that section 15 of the 1998 Act applies to schools having serious weaknesses or

gymwys i ysgolion sydd â gwendidau difrifol neu sydd angen mesurau arbennig ar ôl i'r Cynulliad Cenedlaethol gael ei hysbysu o dan adran 16A o Ddeddf Arolygiadau Ysgolion 1996. Mae adran 56 yn diwygio adrannau 18 a 19 o Ddeddf 1998 er mwyn darparu bod pŵerau'r Cynulliad Cenedlaethol i benodi llywodraethwyr ychwanegol a chyfarwyddo AAL i gau ysgol yn gymwys i ysgolion sydd â gwendidau difrifol yn ogystal â'r rhai sydd angen mesurau arbennig. Mae Atodlen 5 yn gwneud diwygiadau i Ddeddf 1998 o ganlyniad i adrannau 55 a 56.

Mae adran 75 ac Atodlen 10, paragraffau 1, 6, 11 a 15 yn diwygio Atodlen 6 i Ddeddf 1998 ac Atodlen 7 i Ddeddf Dysgu a Medrau 2000, er mwyn darparu nad yw cynigion i sefydlu, newid neu gau ysgolion, neu gynigion sy'n ymwneud â chweched dosbarth annigonol, a gymeradwyir yn amodol gan y Cynulliad Cenedlaethol i gael eu trin fel rhai gwrthodedig os nad yw'r amod yn cael ei fodloni, ond eu bod i gael eu hystyried o'r newydd.

Mae adrannau 97, 98, 99(1), 100 (ac eithrio is-adrannau (1)(b), (2)(b) a (5)), 101 (ac eithrio is-adrannau (3)(b)), 103, 105 i 107, 108 (ac eithrio is-adrannau (1)(a), (2) a (6)), 109, 111 i 118 yn ailddeddfu darpariaethau yn Neddf Addysg 1996 mewn perthynas â'r Cwricwlwm Cenedlaethol, sy'n gwneud darpariaeth ar gyfer Cwricwlwm Cenedlaethol ar wahân ar gyfer Cymru. Dygir y darpariaethau i rym ac eithrio mewn perthynas â'r cyfnod sylfaen newydd a ysgolion meithrin a gynhelir.

Mae adran 131 yn ailddeddfu a diweddarau adran 49 o Ddeddf Addysg (Rhif 2) 1986, ac mae'n galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau yn ei gwneud yn ofynnol i werthuso perfformiad athrawon.

Mae adrannau 132, 133, 134(1), (4) a (5), 135, 141 a 145 yn ymwneud â chymwysterau athrawon. Mae adran 132 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau i benderfynu pwy sydd yn athro neu athrawes gymwysedig ac yn ei gwneud yn ofynnol ymgynghori â Chyngor Addysgu Cyffredinol Cymru ("y Cyngor"). Mae adran 133 yn galluogi'r Cynulliad Cenedlaethol i nodi mewn rheoliadau y gwaith na all ond athrawon cymwysedig neu bersonau penodedig eraill ei gyflawni. Mae adran 134(1), (4) a (5) yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau yn ei gwneud yn ofynnol bod athrawon cymwysedig yn cofrestru gyda'r Cyngor cyn cyflawni gwaith penodedig. Mae adran 135 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau yn ei gwneud yn ofynnol i bennaethiaid fod yn athrawon cymwysedig ac yn ei gwneud yn ofynnol i bennaethiaid a benodir ar ôl y dyddiad cychwyn ddal cymhwyster penodedig. Mae adran 141 yn galluogi'r Cynulliad Cenedlaethol i wneud rheoliadau yn ei gwneud yn ofynnol i athrawon fodloni amodau mewn perthynas â'u hiechyd a'u gallu corfforol. Mae adran 145 yn gwneud darpariaeth gyffredinol mewn perthynas â phennu cymwysterau neu gyrsiau.

requiring special measures when the National Assembly has been given notice under section 16A of the School Inspections Act 1996. Section 56 amends sections 18 and 19 of the 1998 Act so as to provide that the National Assembly's powers to appoint additional governors and to direct an LEA to discontinue a school apply to schools having serious weaknesses as well as those requiring special measures. Schedule 5 makes amendments to the 1998 Act consequential on sections 55 and 56.

Section 75 and Schedule 10, paragraphs 1, 6, 11 and 15 amend Schedule 6 to the 1998 Act and Schedule 7 to the Learning and Skills Act 2000, so as to provide that proposals to establish, alter or discontinue schools, or proposals relating to inadequate sixth forms, which are approved conditionally by the National Assembly are not to be treated as rejected if the condition is not met, but are to be considered afresh.

Sections 97, 98, 99(1), 100 (except sub-sections (1)(b), (2)(b) and (5)), 101 (except sub-section (3)(b)), 103, 105 to 107, 108 (except sub-sections (1)(a), (2) and (6)), 109, 111 to 118 re-enact provisions in the Education Act 1996 relating to the National Curriculum, making provision for a separate National Curriculum for Wales. The provisions are brought into force save in relation to the new foundation stage and maintained nursery schools.

Section 131 re-enacts and updates section 49 of the Education (No. 2) Act 1986, and enables the National Assembly to make regulations requiring the appraisal of the performance of teachers.

Sections 132, 133, 134(1), (4) and (5), 135, 141 and 145 relate to teachers' qualifications. Section 132 enables the National Assembly to make regulations determining who is a qualified teacher and requires consultation with the General Teaching Council for Wales ("the Council"). Section 133 enables the National Assembly to set out in regulations the work which only qualified teachers or other specified persons can carry out. Section 134(1), (4) and (5) enables the National Assembly to make regulations requiring qualified teachers to be registered with the Council before carrying out specified work. Section 135 enables the National Assembly to make regulations requiring head teachers to be qualified teachers and requiring head teachers appointed after the date of commencement to hold a specified qualification. Section 141 enables the National Assembly to make regulations requiring teachers to satisfy conditions in relation to their health and physical capacity. Section 145 makes general provision in relation to the specification of qualifications or courses.

Mae adran 148 ac Atodlen 12, paragraffau 2, 4(1), (3), 6 a 7 yn diwygio Deddf Addysgu ac Addysg Uwch 1998 mewn perthynas â'r Cyngor. Mae'r diwygiadau yn darparu -

- ar gyfer estyn swyddogaethau ymgynghorol y Cyngor;
- bod y Cyngor i roi sylw i'w wariant ar ei holl swyddogaethau pan fydd yn gosod lefel ei ffioedd; a
- bod y Cyngor yn gallu ymgymryd â gweithgareddau i hybu statws y proffesiwn addysgu.

Mae adran 151(2) yn caniatáu i'r Cynulliad Cenedlaethol wneud gorchymyn yn pennu swyddogaethau ychwanegol y mae angen amdanynt i'w alluogi i weithredu cynllun gofal plant o dan Ddeddf Credydau Treth 2002.

Mae adran 152 ac Atodlen 13, paragraffau 1 i 3, 5, 6, 7(1) a (3) a 8 yn diwygio Deddf Plant 1989, Rhan 10A ac Atodlen 9A, sy'n gwneud darpariaeth mewn perthynas â gwarchod plant a gofal dydd. Mae'r diwygiadau'n ymwneud â chanlyniadau methu â chydysnio i wirio addasrwydd person; effaith atal cofrestriad; y pŵer i ragnodi dyfarniadau ychwanegol a all fod yn destun apêl; hawliau mynediad i arolygwyr awdurdodedig; y pŵer i wneud rheoliadau sy'n hepgor datgymhwyso ar gyfer cofrestru. Gwneir diwygiadau canlyniadol hefyd i Ddeddf yr Heddlu 1997 mewn perthynas â thystysgrifau record droseddol a thystysgrifau record droseddol manwl.

Mae adran 179(1), (4), (5) a (6) yn diwygio Deddf Arolygiadau Ysgolion 1996 i estyn hawl mynediad arolygydd i unrhyw dir neu adeilad y trefnodd ysgol i addysg gael ei darparu yno ar gyfer disgyblion 14-16 oed.

Mae adran 180 yn diwygio Deddf Addysg 1997 er mwyn estyn hawl mynediad arolygydd i gyflawni arolygiadau o dan adran 38 o'r Ddeddf, i dir neu adeiladau lle darperir addysg yn unol â threfniadau AALl i addysgu plant heblaw mewn ysgol.

Mae adran 188 ac Atodlen 16, paragraffau 4 i 9 yn diwygio Deddf Arolygiadau Ysgolion 1996 er mwyn

- galluogi'r Prif Arolygydd ddefnyddio aelod o'r Arolygiaeth yn hytrach nag arolygydd cofrestredig i gyflawni arolygiad o dan adran 10 o'r Ddeddf honno, os yw o'r farn ei bod yn hwylus i wneud hynny;
- galluogi aelodau o'r Arolygiaeth weithredu fel aelodau o dimau sy'n cynorthwyo arolygwyr cofrestredig mewn arolygiadau ysgolion;
- galluogi rheoliadau i bennu personau ychwanegol y mae'n rhaid anfon copiâu o adroddiadau arolygiadau ysgolion atynt;
- ei gwneud yn ofynnol bod copi o gynllun gweithredu'r ysgol yn cael ei anfon at y Prif

Section 148 and Schedule 12, paragraphs 2, 4(1), (3), 6 and 7 amend the Teaching and Higher Education Act 1998 in relation to the Council. The amendments provide for -

- the Council's advisory functions to be extended;
- the Council to have regard to its expenditure on all its functions when setting the level of its fees; and
- the Council to be able to undertake activities to promote the standing of the teaching profession.

Section 151(2) allows the National Assembly to make an order specifying additional functions required to enable it to operate a childcare scheme under the Tax Credits Act 2002.

Section 152 and Schedule 13, paragraphs 1 to 3, 5, 6, 7(1), (3) and 8 amend the Children Act 1989, Part 10A and Schedule 9A, which make provision in relation to child minding and day care. The amendments relate to the consequences of a failure to consent to a check on a person's suitability; the effect of suspension of registration; the power to prescribe additional determinations that can be the subject of an appeal; rights of entry for authorised inspectors; the power to make regulations waiving disqualification for registration. Consequential amendments are also made to the Police Act 1997 in relation to criminal record certificates and enhanced criminal record certificates.

Section 179(1), (4), (5) and (6) amends the School Inspections Act 1996 to extend an inspector's right of entry to any premises where a school has arranged for education to be provided for pupils aged 14-16.

Section 180 amends the Education Act 1997 so as to extend the rights of entry of an inspector carrying out inspections under section 38 of that Act, to premises where education is being provided in accordance with an LEA's arrangements for educating children otherwise than at school.

Section 188 and Schedule 16, paragraphs 4 to 9 amend the School Inspections Act 1996 so as

- to enable the Chief Inspector to use a member of the Inspectorate rather than a registered inspector to carry out an inspection under section 10 of that Act, if she considers it expedient to do so;
- to enable members of the Inspectorate to act as members of the teams assisting registered inspectors in school inspections;
- enable regulations to specify additional persons to whom copies of school inspection reports must be sent;
- require a copy of a school's action plan to be sent to the Chief Inspector only where the

Arolygydd dim ond os oes angen mesurau arbennig ar ysgol neu os oes ganddi wendidau difrifol.

Mae adran 189 ac Atodlen 17, paragraffau 5(1) - (4), (6) a 6 i 8 yn diwygio Rhan 5 o Ddeddf Addysg 1997 er mwyn

- estyn swyddogaethau Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru ("ACCAC") mewn perthynas â'r cwricwlwm ac asesu i blant o dan oedran ysgol gorfodol;
- galluogi ACCAC i gymryd i ystyriaeth yr angen i sicrhau nad yw nifer y cymwysterau achrededig mewn meysydd pwnc tebyg neu sy'n gwasanaethu swyddogaethau tebyg yn ormodol;
- galluogi ACCAC i osod amodau ar ôl iddo achredu cymwysterau;
- estyn hawliau mynediad ac arolygu ACCAC mewn cysylltiad â'i bŵer i gyfyngu ar faint y ffioedd y gall cyrff dyfarnu eu codi;
- rhoi pŵer i ACCAC gyfarwyddo'r cyrff dyfarnu sydd wedi methu, neu sy'n debygol o fethu, cydymffurfio ag amodau achredu.

Mae adrannau 191 i 194 yn gwneud darpariaeth mewn cysylltiad â darpariaeth ranbarthol ar gyfer anghenion addysgol arbennig. Mae adran 191 yn galluogi'r Cynulliad Cenedlaethol i gyfarwyddo AALLau i ystyried a allent wneud y ddarpariaeth ar gyfer anghenion addysgol arbennig yn fwy effeithiol drwy ddarpariaeth ranbarthol. Mae adran 192 yn galluogi'r Cynulliad Cenedlaethol i gyfarwyddo AAL neu gorff llywodraethu i wneud cynigion mewn cysylltiad â sefydlu ysgol ranbarthol sy'n darparu ar gyfer plant ag anghenion addysgol arbennig, neu mewn cysylltiad â'r trefniadau i ddarparu addysg neu nwyddau a gwasanaethau ar sail ranbarthol. Mae adran 193 yn galluogi'r Cynulliad Cenedlaethol i wneud cynigion i sicrhau darpariaeth ranbarthol. Mae adran 194 yn gwneud diwygiadau canlyniadol i Ddeddf Addysg 1996.

Mae adran 196 yn ei gwneud yn ofynnol i AAL gyhoeddi gwybodaeth a roddir iddo gan y Cynulliad Cenedlaethol, neu ddarparu gwybodaeth o'r fath i bersonau penodedig.

Mae adran 215 ac Atodlenni 21 a 22 yn gwneud mân ddiwygiadau, diwygiadau canlyniadol a diddymiaidau.

Dyma fydd effaith y darpariaethau a bennir yn Rhan II o'r Atodlen -

Mae adrannau 14 i 17 a 18(2) yn galluogi'r Cynulliad Cenedlaethol i roi cymorth ariannol i unrhyw berson at ddibenion addysgol, at ddibenion sy'n berthnasol i addysg ac at ddibenion sy'n berthnasol i ofal plant.

school requires special measures or has serious weaknesses.

Section 189 and Schedule 17, paragraphs 5(1) - (4), (6) and 6 to 8 amend Part 5 of the Education Act 1997 so as to

- extend the functions of the Qualifications, Curriculum and Assessment Authority for Wales ("ACCAC") in relation to curriculum and assessment to children below compulsory school age;
- enable ACCAC to take into account the need to ensure that the number of accredited qualifications in similar subject areas or serving similar functions is not excessive;
- enable ACCAC to impose conditions after it accredits qualifications;
- extend ACCAC's rights of entry and inspection in connection with its power to limit the amount of fees that can be charged by awarding bodies;
- give ACCAC a power to direct awarding bodies that have failed, or are likely to fail, to comply with conditions of accreditation.

Sections 191 to 194 make provision in connection with regional provision for special educational needs. Section 191 enables the National Assembly to direct LEAs to consider whether they could make special educational needs provision more effectively by regional provision. Section 192 enables the National Assembly to direct an LEA or governing body to make proposals in connection with the establishment of a regional school providing for children with special educational needs, or with the arrangements for the provision of education or goods and services on a regional basis. Section 193 enables the National Assembly to make proposals to secure regional provision. Section 194 makes consequential amendments to the Education Act 1996.

Section 196 requires an LEA to publish information provided to it by the National Assembly, or to provide such information to specified persons.

Section 215 and Schedules 21 and 22 make minor and consequential amendments and repeals.

The effect of the provisions specified in Part II of the Schedule is as follows:-

Sections 14 to 17 and 18(2) enable the National Assembly to give financial assistance to any person for educational purposes, education related purposes and for purposes related to childcare.

Mae adrannau 142 i 144 a 146 yn gwneud darpariaeth mewn perthynas â chamymddwyn. Mae adran 142 yn galluogi'r Cynulliad Cenedlaethol, yn gyfamserol â'r Ysgrifennydd Gwladol, i wneud cyfarwyddiadau yn gwahardd person rhag gweithio mewn ysgolion, sefydliadau addysg bellach neu awdurdodau addysg lleol ar sail camymddwyn, iechyd, anaddasrwydd i weithio gyda phlant, neu mewn perthynas ag ysgolion annibynnol, ar sail anghymwysedd proffesiynol. Mae adran 143 yn gosod dyletswyddau ar gyrff, megis asiantaethau cyflenwi, i drefnu nad yw person sy'n ddarostyngedig i gyfarwyddyd yn cyflawni gwaith a fyddai'n groes iddo. Mae adran 144 yn darparu bod hawliau apêl yn erbyn gwneud y cyfarwyddiadau hynny. Cychwynnir adran 146 ond er mwyn diddymu darpariaethau yn adrannau 218 a 218A o Ddeddf Diwygio Addysg 1988 sy'n ymwneud â chamymddwyn.

Mae adran 148 ac Atodlen 12, paragraff 12(1) a (2) yn diwygio Deddf Addysgu ac Addysg Uwch 1998 er mwyn galluogi'r Cyngor i glymu amodau wrth y gorchmynion atal y mae'n eu gwneud mewn achosion disgyblu.

Mae adrannau 149 a 150 yn diwygio adrannau 118 i 121 o Ddeddf 1998 er mwyn ei gwneud yn ofynnol i'r AALl weithredu adolygiadau blynyddol ar ddarparu gofal plant, sefydlu gwasanaeth gwybodaeth ar ofal plant, ac er mwyn cynnwys gofal plant yn y cynlluniau a phartneriaethau datblygu'r blynyddoedd cynnar.

Mae adran 195 ac Atodlen 18, paragraffau 1, 4, 5, 7, 8, 13 i 15 yn diwygio Deddf Addysg 1996 er mwyn darparu ar gyfer Tribiwnlys Anghenion Addysgol Arbennig Cymru. Cychwynnir y darpariaethau hyn yn Ebrill 2003 at ddibenion sefydlu'r Tribiwnlys newydd yn unig, ond nid er mwyn rhoi unrhyw swyddogaethau i'r Tribiwnlys.

Mae adran 200 yn diwygio adran 457 o Ddeddf Addysg 1996 er mwyn galluogi'r Cynulliad Cenedlaethol i ragnodi budd-daliadau neu gredydau treth mewn perthynas â dileu taliadau sy'n ymwneud â thripiâu preswyl.

Mae adran 201 yn gwneud darpariaeth mewn perthynas â chiniawau ysgol. Mae'n amnewid adrannau 512, 512ZA a 512ZB newydd yn Neddf Addysg 1996 ac yn gwneud diwygiadau canlyniadol eraill. Mae'r darpariaethau newydd yn nodi pwerau'r AALl i ddarparu prydau bwyd, llaeth a lluniaeth arall mewn ysgolion, yn cyflwyno pŵer newydd i'r Cynulliad Cenedlaethol bennu gofynion sydd i'w bodloni cyn bod angen i AALl ddarparu ciniawau ysgol ac yn ei gwneud yn ofynnol i AALl godi tâl am brydau bwyd, llaeth a lluniaeth ac eithrio onid oes hawl gan berson i brydau bwyd di-dâl.

Mae adran 215 ac Atodlenni 21 a 22 yn gwneud mân ddiwygiadau, diwygiadau canlyniadol a diddymiadau.

Dyma fydd effaith y darpariaethau a bennir yn Rhan III o'r Atodlen -

Sections 142 to 144 and 146 make provision in relation to misconduct. Section 142 enables the National Assembly, concurrently with the Secretary of State, to make directions prohibiting a person from working in schools, further education institutions or local education authorities on the grounds of misconduct, health, unsuitability to work with children, or in relation to independent schools, on the grounds of professional incompetence. Section 143 imposes duties on organisations, such as supply agencies, not to arrange for a person subject to a direction to carry out work which would contravene it. Section 144 provides for rights of appeal against the making of directions. Section 146 is commenced only so as to repeal provisions of sections 218 and 218A of the Education Reform Act 1988 relating to misconduct.

Section 148 and Schedule 12, paragraph 12(1) and (2) amend the Teaching and Higher Education Act 1998 so as to enable the Council to attach conditions to suspension orders it makes in disciplinary proceedings.

Sections 149 and 150 amend sections 118 to 121 of the 1998 Act so as to require LEAs to carry out annual reviews of childcare provision, to establish a childcare information service, and so as to include childcare in the early years development plans and partnerships.

Section 195 and Schedule 18, paragraphs 1, 4, 5, 7, 8, 13 to 15 amend the Education Act 1996 so as to provide for a separate Special Educational Needs Tribunal for Wales. These provisions are commenced in April 2003 only for the purposes of establishing the new Tribunal, but not so as to confer any functions on the Tribunal.

Section 200 amends section 457 of the Education Act 1996 so as to enable the National Assembly to prescribe benefits or tax credits in connection with the remission of charges relating to residential trips.

Section 201 makes provision in relation to school lunches. It substitutes new sections 512, 512ZA and 512ZB of the Education Act 1996 and makes other consequential amendments. The new provisions set out LEAs' powers to provide meals, milk and other refreshments at schools, introduce a new power for the National Assembly to specify requirements to be met before an LEA is required to provide school lunches and require an LEA to charge for meals, milk and refreshments save where a person is eligible for free meals.

Section 215 and Schedules 21 and 22 make minor and consequential amendments and repeals.

The effect of the provisions specified in Part III of the Schedule is as follows -

Mae adran 195 ac Atodlen 18, paragraffau 2, 3, 6, 8, 9 i 12 a 16 i 18 yn darparu ar gyfer sefydlu Tribiwnlys Anghenion Addysgol Arbennig Cymru ar wahân, fel y bydd yn gallu gwrandio ar apelau anghenion addysgol arbennig o fis Medi 2003 ymlaen. Bydd y Tribiwnlys hefyd yn gwrandio ar hawliadau ar wahaniaethu ar sail anabledd.

Mae adran 215(2) ac Atodlen 22 yn darparu ar gyfer diddymiadau.

Section 195 and Schedule 18, paragraphs 2, 3, 6, 8, 9 to 12 and 16 to 18 provide for the establishment of a separate Special Educational Needs Tribunal for Wales, so that it will hear special educational needs appeals from September 2003. The Tribunal will also hear disability discrimination claims.

Section 215(2) and Schedule 22 provide for repeals.

2002 Rhif 3185 (Cy.301) (C.107)

ADDYSG, CYMRU

**Gorchymyn Deddf Addysg 2002
(Cychwyn Rhif 1) (Cymru)
2002**

Wedi'i wneud

18 Rhagfyr 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pŵer a roddwyd iddo gan adran 216(3), (4)(b) a (5) o Ddeddf Addysg 2002(a), drwy hyn yn gwneud y Gorchymyn canlynol:

Enw, Cymhwyso a Dehongli

1. Enw'r Gorchymyn hwn yw Gorchymyn Deddf Addysg 2002 (Cychwyn Rhif 1) (Cymru) 2002.

2. Mae'r Gorchymyn yn gymwys mewn perthynas â Chymru yn unig ac eithrio mewn perthynas â

Rhan 7,

adrannau 191 i 196 ac Atodlen 18,

paragraffau 5(1) i (4), (6) a 6 i 8 o Atodlen 17 ac adran 189 i'r graddau y mae'n ymwneud â'r paragraffau hynny,

Rhan 2 o Atodlen 22 ac adran 215(2) i'r graddau y mae'n ymwneud â'r Rhan honno.

3. Yn y Gorchymyn hwn, oni nodir fel arall, mae cyfeiriadau at Rannau, adrannau ac Atodlenni yn gyfeiriadau at Rannau ac adrannau o Ddeddf Addysg 2002 a'r Atodlenni iddi.

Dyddiau penodedig

4. 19 Rhagfyr 2002 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan I o'r Atodlen i'r Gorchymyn hwn ddod i rym.

5. 31 Mawrth 2003 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan II o'r Atodlen i'r Gorchymyn hwn ddod i rym.

6. 1 Medi 2003 yw'r diwrnod penodedig i'r darpariaethau a bennir yn Rhan III o'r Atodlen i'r Gorchymyn hwn ddod i rym.

(a) 2002 p.32.

2002 No. 3185 (W.301) (C.107)

EDUCATION, WALES

**The Education Act 2002
(Commencement No.1) (Wales)
Order 2002**

Made

18th December 2002

The National Assembly for Wales, in exercise of the power conferred upon it by section 216(3), (4)(b), (5) of the Education Act 2002(a), hereby makes the following Order:

Name, Application and Interpretation

1. This Order is called Education Act 2002 (Commencement No. 1) (Wales) Order 2002.

2. This Order applies only in relation to Wales except in relation to -

Part 7,

sections 191 to 196 and Schedule 18,

paragraphs 5(1) to (4), (6) and 6 to 8 of Schedule 17 and section 189 so far as relating to those paragraphs,

Part 2 of Schedule 22 and section 215(2) so far as relating to that Part.

3. In this Order, unless otherwise stated, references to Parts, sections and Schedules are references to Parts and sections of and Schedules to the Education Act 2002.

Appointed days

4. The day appointed for the coming into force of the provisions specified in Part I of the Schedule to this Order is 19th December 2002.

5. The day appointed for the coming into force of the provisions specified in Part II of the Schedule to this Order is 31st March 2003.

6. The day appointed for the coming into force of the provisions specified in Part III of the Schedule to this Order is 1st September 2003.

(a) 2002 c.32.

Darpariaethau trosiannol ac arbedion

7. Er gwaethaf y ffaith bod adran 49 yn dod i rym, a heb ragfarn i adran 16(1)(c) o Ddeddf Dehongli 1978(a), mae adrannau 86(3)(b) a 91 o Ddeddf Safonau a Fframwaith Ysgolion 1998(b) (trefniadau arbennig i gadw cymeriad crefyddol ysgol sefydledig neu ysgol wirfoddol a gynorthwyr) i barhau i gael effaith mewn perthynas â threfniadau derbyn ysgol a gynhelir ar gyfer unrhyw flwyddyn ysgol cyn 2004 i 2005.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(c).

18 Rhagfyr 2002

Llywydd y Cynulliad Cenedlaethol

Transitional provisions and savings

7. Despite the coming into force of section 49, and without prejudice to section 16(1) (c) of the Interpretation Act 1978(a), sections 86(3) (b) and 91 of the School Standards and Framework Act 1998(b) (special arrangements to preserve religious character of foundation or voluntary aided school) are to continue to have effect in relation to a maintained school's admission arrangements for any school year earlier than 2004 to 2005.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(c).

18th December 2002

The Presiding Officer of the Assembly

D. Elis-Thomas

(a) 1978 p.30.

(b) 1998 p.31.

(c) 1998 p.38.

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(a) 1978 c.30.

(b) 1998 c.31.

(c) 1998 c.38.

YR ATODLEN

Erthyglau 4, 5 a 6

RHAN I

DARPARIAETHAU YN DOD I RYM AR 19
RHAGFYR 2002

SCHEDULE

Articles 4, 5 and 6

PART 1

PROVISIONS COMING INTO FORCE ON 19th
DECEMBER 2002

DARPARIAETH	Y PWNC	PROVISION	SUBJECT MATTER
Adran 49	Diddymu pŵer i wneud trefniadau arbennig penodol er mwyn cadw cymeriad crefyddol	Section 49	Repeal of power to make certain special arrangements for preserving religious character
Adrannau 54, 55, 56	Ysgolion sy'n peri pryder	Sections 54, 55, 56	Schools causing concern
Adran 75 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 10 isod	Sefydlu ysgolion etc: newidiadau i'r gweithdrefnau presennol	Section 75 in so far as it relates to provisions of Schedule 10 below	Establishment etc of schools: changes to existing procedures
Adrannau 97, 98, 99(1), 100 ac eithrio is-adrannau (1)(b), (2)(b) a (5), 101 ac eithrio is-adran (3)(b), 103, 105 i 107, 108 ac eithrio is-adrannau (1)(a), (2) a (6), 109, 111 i 118	Y Cwricwlwm yng Nghymru	Sections 97, 98, 99(1), 100 except subsections (1)(b), (2)(b) and (5), 101 except subsection (3)(b), 103, 105 to 107, 108 except subsections (1)(a), (2) and (6), 109, 111 to 118	The Curriculum in Wales
Adran 131	Gwerthuso athrawon ysgol	Section 131	Appraisal of school teachers
Adrannau 132, 133, 134 (1), (4) a (5), 135	Cymwysterau athrawon ysgol	Sections 132, 133, 134 (1), (4) and (5), 135	School teachers' qualifications
Adran 141	Athrawon - iechyd a ffitrwydd	Section 141	Teachers - health and fitness
Adran 145	Cymwysterau athrawon - cyffredinol	Section 145	Teachers' qualifications - general
Adran 148 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 12 isod	Cyngor Addysgu Cyffredinol Cymru	Section 148 in so far as it relates to provisions of Schedule 12 below	General Teaching Council for Wales
Adran 151(2)	Swyddogaethau gofal plant Cynulliad Cenedlaethol Cymru	Section 151(2)	Childcare functions of National Assembly for Wales
Adran 152 i'r graddau y mae'n ymwneud â	Rheoleiddio gwarchod plant a gofal dydd	Section 152 in so far as it relates to provisions of Schedule	Regulation of childminding and day care

darpariaethau Atodlen 13 isod	
Adran 179(1), (4), (5) a (6)	Hawl mynediad mewn perthynas ag arolygiadau
Adran 180	Arolygiadau AALlau: hawliau mynediad, etc
Adran 188 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 16 isod	Arolygiadau ysgolion
Adran 189 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 17 isod	Diwygiadau i Ran 5 o Ddeddf Addysg 1997
Adrannau 191 i 194	Darpariaeth ranbarthol o addysg i blant ag anghenion addysgol arbennig
Adran 196	Cyhoeddi a darparu deunyddiau
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Atodlen 5	Ysgolion sy'n peri pryder
Atodlen 10, Paragraffau 1, 6, 11 a 15	Sefydlu ysgolion etc: newidiadau i'r gweithdrefnau presennol
Atodlen 12, Paragraffau 1, 2, 4(1) a (3), 6 a 7	Cyngor Addysgu Cyffredinol Cymru
Atodlen 13, Paragraffau 1 i 3, 5, 6, 7(1) a (3), 8	Rheoleiddio gwarchod plant a gofal dydd
Atodlen 16, Paragraffau 4 i 9	Arolygiadau ysgolion
Atodlen 17, Paragraffau 5 (1) - (4), (6), 6 i 8	Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru
Atodlen 21,	Mân ddiwygiadau a diwygiadau canlyniadol

13 below	
Section 179(1), (4), (5) and (6)	Rights of entry in relation to inspections
Section 180	Inspections of LEAs: rights of entry, etc
Section 188 in so far as it relates to provisions of Schedule 16 below	School inspections
Section 189 in so far as it relates to provisions of Schedule 17 below	Amendments of Part 5 of Education Act 1997
Sections 191 to 194	Regional provision of education for children with special educational needs
Section 196	Publication and provision of material
Section 215(1) in so far as it relates to provisions of Schedule 21 below	Minor and consequential amendments
Section 215(2) in so far as it relates to provisions of Schedule 22 below	Repeals
Schedule 5	Schools causing concern
Schedule 10, Paragraphs 1, 6, 11 and 15	Establishment etc of schools: procedural changes
Schedule 12, Paragraphs 1, 2, 4(1) and (3), 6 and 7	General Teaching Council for Wales
Schedule 13, Paragraphs 1 to 3, 5, 6, 7(1), (3), 8	Regulation of childminding and day care
Schedule 16, Paragraphs 4 to 9	School inspections
Schedule 17, Paragraphs 5 (1) - (4), (6), 6 to 8	Qualifications, Curriculum and Assessment Authority for Wales
Schedule 21,	Minor and Consequential amendments

<p>Paragraff 8, Paragraff 11, Paragraff 13, Paragraff 16, Paragraff 19, Paragraffau 20 a 21, Paragraffau 31, 32 a 33, Paragraff 45, Paragraff 46 (ac eithrio is-baragraff (6)), Paragraff 47 (ac eithrio is-baragraff (3)) Paragraff 48, Paragraff 51, Paragraff 53, Paragraff 57 (ac eithrio is-baragraff (a)), Paragraff 59 (ac eithrio is-baragraff (a)), Paragraff 66, Paragraff 70, Paragraff 74, Paragraff 76 (ac eithrio is-baragraff (b)), Paragraff 78, Paragraff 81, Paragraff 85 (ac eithrio is-baragraff (b)), Paragraffau 87 ac 88, Paragraffau 95 a 96, Paragraff 98(1) a (2) (ac eithrio is-baragraffau (b) a (c)), Paragraff 99(1) a (3) (ac eithrio is-baragraff (a)), Paragraffau 104 a 105, Paragraffau 108 a 109,</p>		<p>Paragraph 8, Paragraph 11, Paragraph 13, Paragraph 16, Paragraph 19, Paragraphs 20 and 21, Paragraphs 31, 32 and 33, Paragraph 45, Paragraph 46 (except sub-paragraph (6)), Paragraph 47 (except sub-paragraph (3)), Paragraph 48, Paragraph 51, Paragraph 53, Paragraph 57 (except sub-paragraph (a)), Paragraph 59 (except sub-paragraph (a)) , Paragraph 66, Paragraph 70, Paragraph 74, Paragraph 76 (except sub-paragraph (b)), Paragraph 78, Paragraph 81, Paragraph 85 (except sub-paragraph (b)), Paragraphs 87 and 88, Paragraphs 95 and 96, Paragraph 98(1) and (2) (except sub-paragraphs (b) and (c)), Paragraph 99(1) and (3) (except sub-paragraph (a)), Paragraphs 104 and 105, Paragraphs 108 and 109,</p>	
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<p>Paragraff 113 (ac eithrio is-baragraffau (a) i (d), (f) a (g)),</p> <p>Paragraff 114,</p> <p>Paragraff 117,</p> <p>Paragraff 118 (1), (2), (3) (ac eithrio is-baragraff (b)), (4) (ac eithrio is-baragraff (a)(ii) a (5)),</p> <p>Paragraff 126 (1), (2) i'r graddau y mae'n ymwneud â'r diwygiadau i baragraffau 21 a 29 o Atodlen 7 i Ddeddf Dysgu a Medrau 2000(a), a (3) i'r graddau y mae'n ymwneud â'r diwygiad i baragraff 39 o Atodlen 7 i Ddeddf Dysgu a Medrau 2000.</p>		<p>Paragraph 113 (except sub-paragraphs (a) to (d), (f) and (g)),</p> <p>Paragraph 114,</p> <p>Paragraph 117,</p> <p>Paragraph 118(1), (2), (3) (except sub-paragraph (b)), (4) (except sub-paragraph (a)(ii) and (5)),</p> <p>Paragraph 126(1), (2) in so far as it relates to the amendments of paragraphs 21 and 29 of Schedule 7 to the Learning and Skills Act 2000(a) and (3) in so far as it relates to the amendment of paragraph 39 of Schedule 7 to the Learning and Skills Act 2000.</p>	
<p><u>Yn Atodlen 22, Rhan 2, diddymu -</u></p> <p>Deddf Addysg 1997(b), yn adran 29, yn is-adran (2), paragraff (f), a'r gair "and" yn union o'i flaen,</p> <p>yn adran 32(3), y geiriau "or approved" a'r geiriau "and subject to such conditions";</p> <p><u>Yn Atodlen 22, Rhan 3, diddymu -</u></p> <p>Deddf Addysg (Rhif 2) 1986(c), adran 49;</p> <p>Deddf Plant 1989(ch), yn adran 79M(1), y gair "or" ar ddiwedd paragraff (a), yn adran 79U, is-adran (5) ac yn is-adran (9), y diffiniad o "authorised inspector";</p>	<p>Diddymiadau</p>	<p><u>In Schedule 22, Part 2, the repeal of -</u></p> <p>Education Act 1997(b), in section 29, in subsection (2), paragraph (f) and the word "and" immediately preceding it in section 32(3), the words "or approved" and the words "and subject to such conditions";</p> <p><u>In Schedule 22, Part 3, the repeal of -</u></p> <p>Education (No. 2) Act 1986(c), section 49;</p> <p>Children Act 1989(d), in section 79M(1), the word "or" at the end of paragraph (a), in section 79U, subsection (5) and in subsection (9), the definition of "authorised inspector" ;</p>	<p>Repeals</p>

- (a) 2000 p.21.
(b) 1997 p.44.
(c) 1986 p.61.
(ch) 1989 p.41.

- (a) 2000 c.21.
(b) 1997 c.44.
(c) 1986 c.61.
(d) 1989 c.41.

<p>Deddf Addysg Bellach ac Uwch 1992(a), yn adran 23(4), paragraff (b) a'r gair "and" yn union o'i flaen, adrannau 39 i 42, adran 60;</p> <p>Deddf Addysg 1996(b), adrannau 350 - 369, adran 408(4) (a), yn adran 409(1) y geiriau "with the approval of the Secretary of State and";</p> <p>Deddf Arolygiadau Ysgolion 1996(c), yn adran 6(3) y gair "and" ar ddiwedd paragraff (a), yn adran 16(3) y gair "and" o flaen paragraff (d);</p> <p>Deddf Addysgu ac Addysg Uwch 1998(ch), adran 1(8), yn adran 3 y geiriau "within the meaning of section 218(2) of the Education Reform Act 1988";</p> <p>Deddf Safonau a Fframwaith Ysgolion 1998(d), adran 16(4) a (13), yn adran 22(1), ym mharagraff (b) y geiriau "under section 28 or 31" ac ym mharagraff (c) y geiriau "under section 28", adrannau 86(3)(b) a 91, yn Atodlen 6, ym mharagraff 10(6), y geiriau "or (5)", yn Atodlen 28, paragraff 4(1);</p> <p>Deddf Dysgu a Medrau 2000(dd), adrannau 130 i 132 a 148(2), yn Atodlen 9, paragraffau 26, 30, 35, 59(6)(b).</p>		<p>Further and Higher Education Act 1992(a), in section 23(4), paragraph (b) and the word "and" immediately preceding it, sections 39 to 42, section 60;</p> <p>Education Act 1996(b), sections 350 to 369, section 408(4)(a), in section 409(1), the words "with the approval of the Secretary of State and";</p> <p>School Inspections Act 1996(c), in section 6(3) the word "and" at the end of paragraph (a), in section 16(3) the word "and" preceding paragraph (d);</p> <p>Teaching and Higher Education Act 1998(d), section 1(8), in section 3 the words "within the meaning of section 218(2) of the Education Reform Act 1988";</p> <p>School Standards and Framework Act 1998(e), section 16(4) and (13), in section 22(1), in paragraph (b) the words "under section 28 or 31" and in paragraph (c) the words "under section 28", sections 86(3)(b) and 91, in Schedule 6, in paragraph 10(6), the words "or (5)", in Schedule 28, paragraph 4(1);</p> <p>Learning and Skills Act 2000(f), sections 130 to 132 and 148(2), in Schedule 9, paragraphs 26, 30, 35, 59(6)(b).</p>	
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(a) 1992 p.13.
(b) 1996 p.56.
(c) 1996 p.57.
(ch) 1998 p.30.
(d) 1998 p.31.
(dd) 2000 p. 21.

(a) 1992 c.13.
(b) 1996 c.56.
(c) 1996 c.57.
(d) 1998 c.30.
(e) 1998 c.31.
(f) 2000 c.21.

RHAN II

**DARPARIAETHAU YN DOD I RYM AR 31
MAWRTH 2003**

PART II

**PROVISIONS COMING INTO FORCE ON 31ST
MARCH 2003**

DARPARIAETH

Y PWNC

PROVISION

SUBJECT MATTER

Adrannau 14 i 17 a 18(2)	Cymorth ariannol ar gyfer addysg a gofal plant
Adrannau 142 i 144	Athrawon - camymddwyn
Adran 146 i'r graddau y mae'n ymwneud â diddymu adrannau 218(2B), (6), (6ZA), (6A), (6B), (7) a 218A o Ddeddf Diwygio Addysg 1998(a)	Diddymu adrannau 218 a 218A o Ddeddf Diwygio Addysg 1998
Adran 148 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 12 isod	Cyngor Addysgu Cyffredinol Cymru
Adran 149	Dyletswyddau AALl mewn perthynas â gofal plant
Adran 150	Partneriaethau a chynlluniau datblygu'r blynyddoedd cynnar a gofal plant
Adran 195 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 18 isod	Tribiwnlys Anghenion Addysgol Arbennig Cymru
Adran 200	Dileu taliadau sy'n ymwneud â thripiâu preswyl
Adran 201(1) ac eithrio i'r graddau y mae'n ymwneud ag is-adran (1)(c) o adran 512 newydd o Ddeddf Addysg 1996, (2) a (3)	Swyddogaethau AALl ynghylch prydau bwyd ysgolion, llaeth, etc.
Adran 215(1) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 21 isod	Mân ddiwygiadau a diwygiadau canlyniadol
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau

Sections 14 to 17 and 18(2)	Financial assistance for education and childcare
Sections 142 to 144	Teachers - misconduct
Section 146 in so far as it relates to the repeal of sections 218(2B), (6), (6ZA), (6A), (6B), (7) and 218A of the Education Reform Act 1988(a)	Repeal of sections 218 and 218A of Education Reform Act 1988
Section 148 in so far as it relates to provisions of Schedule 12 below	General Teaching Council for Wales
Section 149	Duties of LEA in respect of childcare
Section 150	Early years development and childcare partnerships and plans
Section 195 in so far as it relates to provisions of Schedule 18 below	Special Educational Needs Tribunals for Wales
Section 200	Remission of charges relating to residential trips
Section 201(1) except in so far as it relates to subsection (1)(c) of the new section 512 of the Education Act 1996, (2) and (3)	LEA functions concerning school lunches, milk, etc.
Section 215(1) in so far as it relates to provisions of Schedule 21 below	Minor and consequential amendments
Section 215(2) in so far as it relates to provisions of Schedule 22 below	Repeals

(a) 1988 p.40.

(a) 1988 c.40.

Atodlen 12, Paragraff 12(1) a (2)	Cyngor Addysgu Cyffredinol Cymru
Atodlen 18, Paragraffau 1, 4, 5 a 7, Paragraff 8 i'r graddau y mae'n mewnosod is-adran newydd (2) yn adran 28H o Ddeddf Gwahaniaethu ar Sail Anabledd 1995, Paragraffau 13 i 15	Tribiwnlys Anghenion Addysgol Arbennig Cymru
Atodlen 21, Paragraff 9, Paragraff 49, Paragraff 54, Paragraff 71 i'r graddau y mae'n ymwneud ag adran 49(2) a (3) o Ddeddf Addysg 1997 Paragraff 72, Paragraff 73, Paragraff 75, Paragraff 76 i'r graddau nad yw eisoes mewn grym, Paragraff 77, Paragraff 83, Paragraff 85 i'r graddau nad yw eisoes mewn grym, Paragraff 86, Paragraff 120, Paragraff 121, Paragraff 122 ac eithrio is-baragraff (b), Paragraff 123, Paragraff 128.	Mân ddiwygiadau a diwygiadau canlyniadol
<u>Yn Atodlen 22, Rhan 3, diddymu</u> - Deddf Diwygio Addysg 1988(a), adrannau 218(2B), (6), (6ZA), (6A), (6B), (7) a 218A;	Diddymiaidau

Schedule 12, Paragraph 12(1) and (2)	General Teaching Council for Wales
Schedule 18, Paragraphs 1, 4, 5 and 7, Paragraph 8 in so far as it inserts a new subsection (2) of section 28H of the Disability Discrimination Act 1995, Paragraphs 13 to 15	Special Educational Needs Tribunal for Wales
Schedule 21, Paragraph 9, Paragraph 49, Paragraph 54, Paragraph 71 in so far as it relates to section 49(2) and (3) of the Education Act 1997, Paragraph 72, Paragraph 73, Paragraph 75, Paragraph 76 in so far as not already in force, Paragraph 77, Paragraph 83, Paragraph 85 in so far as not already in force, Paragraph 86, Paragraph 120, Paragraph 121, Paragraph 122 except sub-paragraph (b), Paragraph 123, Paragraph 128.	Minor and consequential amendments
<u>In Schedule 22, Part 3, the repeal of -</u> Education Reform Act 1988(a), sections 218 (2B), (6), (6ZA), (6A), (6B), (7) and 218A;	Repeals

<p>Deddf Plant 1989(a), yn adran 19, is-adrannau (1) a (2) ac yn is-adran (4) y geiriau "the two authorities, or in Scotland,";</p> <p>Deddf Addysg 1997(b), adran 49(2) a (3);</p> <p>Deddf yr Heddlu 1997(c), yn adran 113, yn is-adran (3A), paragraff (a) (ii) a (iii) ac yn is-adran (3B), paragraff (c) a'r geiriau o "and the reference" hyd at y diwedd, adran 115(6A) (a) (ii) (a) (iii);</p> <p>Deddf Addysgu ac Uwch 1998, yn Atodlen 2, paragraff 1(5);</p> <p>Deddf Safonau a Fframwaith Ysgolion 1998, adran 115, yn adran 119(5), y gair "and" ar ddiwedd paragraff (a), yn adran 120(2)(a), y geiriau "of proposals" ac "and", yn adran 121, yn is-adran (1), y geiriau "the authority's statement of proposals" ac yn is-adran (9) y geiriau "early years development";</p>		<p>Children Act 1989(a), in section 19, subsections (1) and (2) and in subsection (4) the words "the two authorities, or in Scotland,";</p> <p>Education Act 1997(b), section 49(2) and (3);</p> <p>Police Act 1997(c),</p> <p>in section 113, in subsection (3A), paragraph (a)(ii) and (iii) and in subsection (3B), paragraph (c) and the words from "and the reference" to the end, section 115 (6A)(a) (ii) and (iii);</p> <p>Teaching and Higher Education Act 1998, in Schedule 2, paragraph 1(5);</p> <p>School Standards and Framework Act 1998, section 115, in section 119(5), the word "and" at the end of paragraph (a), in section 120(2)(a) the words "of proposals" and "and" in section 121, in subsection (1), the words "the authority's statement of proposals" and in subsection (9) the words "early years development";</p>	
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(a) 1989 p.41.

(b) 1997 p.44.

(c) 1997 p.50.

(a) 1989 c.41.

(b) 1997 c. 44.

(c) 1997 c.50.

<p>Deddf Amddiffyn Plant 1999(a), adran 5, yn adran 7, is-adran (1) (a)(ii) a (iii), y gair "and" yn union o flaen is-adran (2)(c) ac is-adran (4), yn adran 9(2), y gair "or" ar ddiwedd paragraff (d), yn adran 12(2) y diffiniad o "the 1988 Act";</p> <p>Deddf Mewnfudo a Llochesu 1999(b), yn Atodlen 14, paragraff 117;</p> <p>Deddf Cyfiawnder Troseddol a Gwasanaethau Llys 2000(c), adran 35(5), yn Atodlen 7, paragraff 83.</p>		<p>Protection of Children Act 1999(a), section 5, in section 7, subsection (1) (a) (ii) and (iii), the word "and" immediately preceding subsection (2)(c) and subsection (4), in section 9(2), the word "or" at the end of paragraph (d), in section 12(2) the definition of "the 1988 Act";</p> <p>Immigration and Asylum Act 1999(b), in Schedule 14, paragraph 117;</p> <p>Criminal Justice and Court Services Act 2000(c), section 35(5), in Schedule 7, paragraph 83.</p>	
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(a) 1999 p.14.
(b) 1999 p.33.
(c) 2000 p.43.

(a) 1999 c.14.
(b) 1999 c.33.
(c) 2000 c.43.

RHAN III

PART III

**DARPARIAETHAU YN DOD I RYM AR 1
MEDI 2003**

**PROVISIONS COMING INTO FORCE ON 1ST
SEPTEMBER 2003**

DARPARIAETH	Y PWNC
Adran 195 i'r graddau y mae'n ymwneud â darpariaethau Atodlen 18 isod	Tribiwnlys Anghenion Addysgol Arbennig Cymru
Adran 215(2) i'r graddau y mae'n ymwneud â darpariaethau Atodlen 22 isod	Diddymiadau
Atodlen 18, Paragraffau 2, 3, 6, 8 (i'r graddau nad yw eisoes mewn grym), 9 i 12 a 16 i 18	Tribiwnlys Anghenion Addysgol Arbennig Cymru
<u>Yn Atodlen 22, Rhan 2, diddymu</u> - Deddf Gwahaniaethu ar sail Anabledd 1995(a), adran 28J(4); Deddf Anghenion Addysgol Arbennig ac Anabledd 2001(b), adran 42(2), yn Atodlen 8, paragraff 2.	Diddymiadau

PROVISION	SUBJECT MATTER
Section 195 in so far as it relates to provisions of Schedule 18 below	Special Educational Needs Tribunal for Wales
Section 215(2) in so far as it relates to provisions of Schedule 22 below	Repeals
Schedule 18, Paragraphs 2, 3, 6, 8 (in so far as not already in force), 9 to 12 and 16 to 18	Special Educational Needs Tribunal for Wales
<u>In Schedule 22, Part 2, the repeal of -</u> Disability Discrimination Act 1995(a), section 28J(4); Special Educational Needs and Disability Act 2001 (b), Section 42(2), in Schedule 8, paragraph 2.	Repeals

(a) 1995 p.50.

(b) 2001 p.10.

(a) 1995 c.50

(b) 2001 c.10.

OFFERYNNAU STATUDOL

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